

B 10 (Supplement 1) (12/11)

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF TEXAS

In re Carl Leon Coleman
DebtorCase No. 09-10168

Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of Creditor: M&T BANK

Court Claim No. (if known): _____

Last four digits of any number you use to
identify the debtors account: 8126

Date of payment change:

Must be at least 21 days after date of
this notice 10/1/2012

New total payment:

Principal, interest, and escrow, if any \$ 716.82

Will there be a change in the debtor's escrow account payment?

- ☐ No
☒ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: \$ 215.73New escrow payment: \$ 199.95

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

- ☒ No
☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why:

Current interest rate: _____ %

New interest rate: _____ %

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Will there be a change in the debtor's mortgage payment for a reason not listed above?

- ☒ No
☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

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The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

I am the creditor.

☒ I am the creditor's authorized agent.
(Attach copy of power of attorney, if any)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

✕ Chad Reynolds
Signature

Date 8-28-12

Print: CHAD REYNOLDS
First Name Middle Name Last Name

Title SR. BANKRUPTCY COORDINATOR

Company BAYVIEW LOAN SERVING, LLC, AS SERVING AGENT FOR M&T BANK

Address 189 ALBERT STREET
Number Street
HUNT TX 76053
City, State ZIP Code

Contact phone 817 438 9148

Email chadrey@bayviewloanserving.com



REPRESENTATION OF PRINTED DOCUMENT
RETURN SERVICE ONLY
Please do not send mail to this address
P.O. Box 619063
Dallas, TX 75261-9063

ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT

750-58805-0000/31-001-000-000-000

CARL LEON COLEMAN
1701 COTTONWOOD ST
ABILENE TX 79601-3035

Contact Us

Customer Service: 1-800-411-7627
Property Tax: 1-866-406-0948
Property Insurance: 1-888-882-1847

Correspondence Address:
PO BOX 1288
BUFFALO, NY 14240-1288
www.mtb.com

Loan Number:		New Payment Information	
Statement Date: 08/01/12		Principal and/or Interest	\$16.87
		Escrow Deposit	199.95
		Less: Escrow Surplus	0.00
		Optional Insurance	0.00
		Other	0.00
		Less: Buydown/Assistance Payment	0.00
		New Payment Effective 10/12	716.82

Periodically, your escrow account is reviewed to ensure that sufficient funds will be available to pay escrow items when due. As tax and insurance amounts are subject to change each year, your monthly escrow deposit may also change. Your current monthly payment is \$732.80 of which \$516.87 is for principal and interest, \$215.73 is deposited into your escrow account, and \$0.00 is for other amounts such as optional insurance, shortage, replacement reserves, etc., that may be included with your regular mortgage payment.

Anticipated Annual Disbursements		Account Projections			
HAZARD INS	838.00	Projections for coming year: The following summary shows anticipated activity in your escrow account for the next twelve months, which was used to calculate your payment above.			
COUNTY TAX	936.46	Month	Monthly Escrow Deposit	Scheduled Disbursement	Projection Based On Current Balance
FLOOD INS	625.00				Projection Based On Required Balance
Total Disbursements	2,399.46	Oct 12	199.95	838.00	2,411.95
		Nov 12	199.95		1,773.00
		Dec 12	199.95	936.46	1,973.85
		Jan 13	199.95	625.00	1,237.34
		Feb 13	199.95		612.34
		Mar 13	199.95		399.98
		Apr 13	199.95		599.85
		May 13	199.95		799.80
		Jun 13	199.95		999.75
		Jul 13	199.95		1,199.70
		Aug 13	199.95		1,399.65
		Sep 13	199.95		1,599.60
					2,011.89
					2,211.94
					2,411.80
					2,199.45
Projected Escrow Balance Summary		Please remember, as your taxes increase on an annual basis, the escrow portion of your payment will also increase. If you have any questions about this Escrow Analysis, please call our Customer Service Department toll free at 1-800-411-7627.			
The current allowed by Federal law (FICRA) is two times your monthly escrow payment (excluding MIP/PAF), unless state law specifies a lower amount.		Escrow Requirements, New Mortgage Payment and Anticipated Annual Disbursements			
The following breakdown reflects how your regular escrow payment amount is calculated:		Your lowest monthly balance for the next 12 months should reach \$399.00, which equals a reserve of two months' escrow deposit. In order to reach this low point, your required escrow balance after your 09/12 payment should be \$2,199.51, whereas your actual escrow balance is \$2,411.95. The difference, \$212.44, represents an escrow surplus. This amount will be refunded to you under separate cover within the next few weeks, provided that all of your payments are presently up-to-date. If your payments are not up-to-date at the time of analysis, you are entitled to have the available surplus refunded to you when your account is current. At that time, please send your written request to M&T Bank, ATTN: Escrow Department P.O. Box 1288, Buffalo, NY 14240-1288.			
Total scheduled disbursements	\$2,399.46				
divided by 12 monthly payments	\$199.95				
Total escrow surplus of	\$212.44				
will be refunded to you					
Total escrow payment	\$199.95				
Based on these calculations for the coming year, your new payment amount for 10/01/12 will be \$716.82.					

INTERNET REPRINT



The escrow overage will be refunded to you under separate cover within the next few weeks, provided that all of your payments are presently up-to-date. If your payments are not up-to-date at the time of analysis, you are entitled to have the available surplus refunded to you when your account is current. At that time, please send your written request to M&T Bank, ATTN: Escrow Department, P.O. Box 1288, Buffalo, NY 14240-1288.

Previous Escrow Account Projection				Actual Escrow Account History**					
Deposits		Disbursements	Description	Balance	Deposits		Disbursements	Description	Balance
STARTING BALANCE				0.00	STARTING BALANCE				1,165.27
COUNTY TAX				0.00	COUNTY TAX				228.81
DEC 11				0.00			936.46 *		444.54
JAN 12				0.00	215.73 *				901.84
FEB 12				0.00	457.30 *				1,117.57
MAR 12				0.00	215.73 *				1,333.30
MAY 12				0.00	215.73 *				1,549.03
JUN 12				0.00	215.73 *				1,764.76
JUL 12				0.00	215.73 *				2,196.22
AUG 12				0.00	431.46 *				2,411.95
SEP 12				0.00	215.73 *				

The total amount of escrow deposits received during this period was \$2,183.14 and the total escrow disbursements were \$936.46. An asterisk (*) indicates a difference from a previous estimate either in the date or the amount of the deposit/disbursement.

** This section may also reflect anticipated escrow activity that has not yet occurred prior to the effective date of this analysis.

M&T Bank is attempting to collect a debt and any information obtained will be used for that purpose. If you are in bankruptcy or received a bankruptcy discharge of this debt, this communication is not an attempt to collect the debt against you personally, but is notice of a possible enforcement of the lien against the collateral property.

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CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Mortgage Payment Change was served on the parties listed below by the United States Mail, first class postage prepaid or via electronic e-mail by the Clerk of Court on 9/5/2012:

Carl Leon Coleman
1701 Cottonwood Street
Abilene, TX 79601

Pamela Jean Chaney
Monte J. White & Associates, P.C.
American State Building
402 Cypress, Ste. 310
Abilene, TX 79601

Walter O'Cheskey
6308 Iola Avenue
Lubbock, TX 79424

U.S. Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-1496

McCARTHY, HOLTHUS & ACKERMAN, LLP



Cole Patton
Lance Erickson
Atty file no.: TX-12-11606